

**REMARKS**

Claims 40 to 48 are pending in the application. No claims have been amended, added, or canceled, herein. Applicants respectfully request reconsideration of the rejections of record in view of the following remarks.

**Alleged Double Patenting**

Claims 40 to 47 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 1, 3, and 4 of U.S. Patent No. 5,674,895. In addition, claims 40 and 48 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 1 to 6 of U.S. Patent No. 5,840,754. Finally, claims 40 to 47 have been rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over claims 1 to 8 of U.S. Patent No. 5,912,268.

Although Applicants question whether there has been an adequate showing that those of ordinary skill in the art would have found the cited claims to have been obvious in view of the claims of the referenced patents, they nonetheless submit herewith the requested terminal disclaimers. This is being done solely in an attempt to advance prosecution of this patent application, and should not be construed to constitute an acknowledgment of obviousness or any other substantive relationship among the involved patent claims.

**DOCKET NO.:** ALZA-0143  
**Application No.:** 10/645,715  
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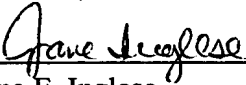
**PATENT**

**Conclusion**

Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully Submitted,

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